

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
December 14, 2006

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period October 1 – October 31, 2006.
- III. **FACTS:** For the period October 1, 2006 through October 31, 2006 EQC issued thirty-four (34) Consent Orders with total assessed civil penalties in the amount of \$213,450.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste*	0	\$ 0	3	\$ 74,555.00
Solid Waste	0	0	3	10,300.00
UST Program	0	0	0	0
SUBTOTAL	0	0	6	\$ 84,855.00
Water				
Drinking Water**	0	\$ 0	12	\$ 25,190.00
Water Pollution	0	\$ 0	13	87,405.00
SUBTOTAL	0	\$ 0	25	\$ 112,595.00
Air Quality				
SUBTOTAL	0	\$ 0	3	\$ 16,000.00
TOTAL	0	\$ 0	34	\$ 213,450.00

* During the reporting period, Hazardous Waste Enforcement, Air Quality Enforcement and Water Pollution Enforcement issued one (1) Joint Consent Order. Hazardous Waste Enforcement and Air Quality Enforcement also issued one (1) Joint Consent Order. Hazardous Waste Enforcement was credited with both Joint Orders.

**During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement issued one (1) Joint Consent Order. Drinking Water Enforcement was credited with the Joint Order.

ANALYSIS: During the reporting period, Hazardous Waste Enforcement, Water Pollution Enforcement, and Air Quality Enforcement entered into a Joint Consent Order with Respondent, Giant Resource Recovery, located in Sumter, South Carolina. The Respondent owns and operates a hazardous waste treatment, storage, and disposal facility. Violations of the SC Pollution Control Act, Water Pollution Control Permits, Hazardous Waste Operating Permit, and the Hazardous Waste Management Regulations include: failure to operate the thermal oxidizer within established operating temperature range; failure to implement best management practices to minimize pollutants in the discharge as necessary to meet water quality standards; failure to monitor storm water discharges; failure to have a containment system that is sufficiently impervious to contain leaks, spills, and accumulated precipitation. The Respondent was also cited for failure to minimize the possibility of a release; however, all hazardous waste discharges were cleaned up promptly when discovered. The Respondent has agreed to comply with all permitting and operating requirements in accordance with State and Federal regulations. A civil penalty in the amount of sixty-three thousand dollars (\$63,000.00) was assessed with twenty-one thousand dollars (\$21,000.00) for violations of the Water Pollution Control Permits and Pollution Control Act and forty-two thousand dollars (\$42,000.00) for violations of the Hazardous Waste Management Regulations and Hazardous Waste Operating Permit.

Water Pollution Enforcement entered into a Consent Order with Respondent, Eagle Construction Company. The Respondent is responsible for land-disturbing activities at the Eagle Construction Borrow Pit located in Newberry, SC. Violations of the Pollution Control Act are as follows: initiated land-disturbing activities prior to obtaining the required permit and discharged sediment into the environment including waters of the State. The Respondent has agreed to comply with all permitting and operating requirements; fully stabilize the site; certify the storm water controls, sediment reduction and erosion control measures have been implemented. A civil penalty in the amount of eighteen thousand six hundred dollars (\$18,600.00) was assessed. The Order also contains a suspended civil penalty in the amount of eighteen thousand four hundred dollars (\$18,400.00) due and payable should the Respondent fail to meet any requirement of the Order.

Of the thirty-four (34) Consent Orders issued by EQC enforcement programs during the reporting period, (34) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control